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PATENT
CE08991R
01-11-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Harris
Application No.: 09/973,206
Date Filed: 10/09/2001
Title: CONTROL OF JITTER BUFFER SIZE AND DEPTH

Group Art Unit: 2661
Examiner: Unknown
Confirmation No.: Unknown

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231, ON: December 23, 2002

Date of Deposit

MOTOROLA INC.
Name of Assignee

Janya Sehn
SIGNATURE

12/23/02
DATE

INFORMATION DISCLOSURE STATEMENT (IDS)

Assistant Commissioner For Patents
Washington, D.C. 20231

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JAN 02 2003
Technology Center 2600

SIR:

In accordance with 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§1.97 and 1.98, the references listed on attached Form PTO/SB/08 and/or subsequently identified herein, are being submitted herewith for consideration by the United States Patent and Trademark Office.

I. COPIES

- a. A legible copy of (i) each U.S. and foreign patents; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed, is included herewith.
- b. Any patents, publications or other information which are listed on PTO/SB/08 which are not enclosed herewith were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. §120:

U.S. Serial Number

U.S. Filing Date

II. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- a. Except as may be indicated below in (b) of this section, all of the patents, publications or other information are in the English language (concise explanation not required).
- b. A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. The following additional information is provided for the Examiner's consideration:

III. CROSS REFERENCE TO RELATED APPLICATION(S)

The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this (these) applications to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. §122.

Serial No.

Filing Date

Art Unit

FEES

IV. **THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(b):** (check one box)

a. within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. §1.97(b)(1)). No fee or statement is required.

b. within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. §1.97(b)(2)). No fee or statement is required.

c. before the mailing date of a first Office Action on the merits (37 C.F.R. §1.97(b)(3)). No fee or statement is required.

d. before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.

V. **THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(c):** (check one box)

before the mailing date of any of a Final Office Action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (See 37 C.F.R. §1.97(c)).

a. No statement; therefore, charge deposit account **502117** the fee set forth in 37 C.F.R. §1.17(p).

b. See the statement below. No fee is required.

VI. **THIS IDS IS BEING FILED UNDER 37 C.F.R. §1.97(d):**

on or before payment of the issue fee and is accompanied by the following:

1) a statement under 37 C.F.R. §1.97(e) as provided below; and

2) charge deposit account **502117** the petition fee set forth in §1.17(p).

VII. **STATEMENT UNDER 37 C.F.R. §1.97(e) (check only one box, if applicable)**

The undersigned hereby states that

a. each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of IDS; or

b. no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and to knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement, or

c. some of the items of information contained in the IDS were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

VIII. **PAYMENT OF FEES**

A check in the amount of _____ is enclosed for the above-identified fee(s).

Please charge Deposit Account No. **502117** in the amount of \$180.00 for the above-indicated fee(s).

If Applicant has overlooked any additional fees, or if any overpayment has been made, the Commissioner is hereby authorized to credit or debit Deposit Account **502117**

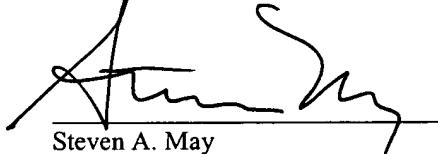
Two Copies of this paper are attached for Deposit Account charges and debits.

It is Applicant(s)' opinion that the claims presently on file patently distinguish the present invention from each of these references. The above references are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. **502117**.

Respectfully submitted,

John M. Harris



Steven A. May
Attorney for Applicant(s)
Reg. No. 44,912
Tel. (847) 576-3635

MOTOROLA, INC.
Customer Number 22917

Enclosures: PTO/SB/08
 References
 Foreign Search Report
 Other:

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Please type a plus sign (+) inside this box.

TRADEMARK OFFICE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

Application Number	09/973,206
Filing Date	10/09/2001
First Named Inventor	Harris
Group Art Unit	2661
Examiner Name	Unknown
Attorney Docket Number	CE08991R

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		MANDYMAN "Power Control Based on Radio Link Protocol in CDMA2000." <i>IEEE Wireless Communications and Networking Conference</i> ; Sept. 1999, pp 1368-1372.
		CHOCKALINGAM et al. "Performance of TCP/RLP Protocol Stack on Correlated Fading DS-CDMA Wireless Links." <i>IEEE Vehicular Technology Conference, May 1998</i> ; pp. 363-367
		KHAN et al. "Link Layer Buffer Size Distributions for HTTP and FTP Applications in an IS-2000 System." <i>IEEE 52nd Vehicular Technology Conference, Fall 2000</i> ; Vol. 2, Sept. 2000, pp 955-962.
		HARRIS et al. "Analytical Model for Radion Link Protocol for IS-95 CDMA Systems." <i>IEEE 51st Vehicular Technology Conference Proceedings</i> ; Vol. 3, May 2000, pp 2434-2438.
		Tachikawa et al. "ARQ Protocols for Bi-Directional Data Transmission." <i>Information networking, 1998 (ICOIN-12) Proceedings, Twelfth International Conference</i> ; 1998, pp 468-473.
		RECEIVED JAN 02 2003 Technology Center 2600

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation, if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English Language Translation is attached.